

STATE OF NEW YORK

5590

2021-2022 Regular Sessions

IN ASSEMBLY

February 22, 2021

Introduced by M. of A. BRABENEC -- read once and referred to the Committee on Local Governments

AN ACT to amend the town law, in relation to changing the date of fire district votes

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 1 and 6 of section 175 of the town law, subdivision
2 1 as amended by chapter 334 of the laws of 2011 and subdivision 6
3 as amended by chapter 586 of the laws of 2004, are amended to read as
4 follows:

5 1. An annual election shall be held in each fire district on the
6 [~~second~~] first Tuesday next succeeding the first Monday in [~~December~~]
7 November, except that in the Ocean Bay Park fire district, the Lonely-
8 ville fire district, the Davis Park fire district, the Cherry Grove fire
9 district, the Fair Harbor fire district and the Fire Island Pines fire
10 district, Suffolk county, such annual election shall be held on the
11 second Tuesday in July, [~~except that in the town of Salisbury, Herkimer~~
12 ~~county, such annual election shall be held on the Tuesday next succeeding~~
13 ~~the first Monday in November from six o'clock in the morning until~~
14 ~~nine o'clock in the evening and~~] except that in the Belfast fire
15 district, Allegany county, such annual election shall be held on the
16 first Tuesday in December. The local board of elections for each fire
17 [~~commissioners~~] district shall give notice thereof by the publication of
18 a notice once in one or more newspapers having a general circulation in
19 the district. The first publication of such notice shall be not less
20 than twenty-seven days and not more than thirty-four days prior to the
21 date of such election. Such notice shall specify the time when and the
22 place where such election will be held, the officers to be elected there-
23 eat and their terms of office, and the hours during which the polls will
24 be open for the receipt of ballots. The [~~secretary of such~~] local board
25 of elections for each fire district shall prepare the ballots for all

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 elections of fire district officers and the polls shall remain open for
2 the receipt thereof at all elections of fire district officers from six
3 o'clock in the [~~evening~~ morning until nine o'clock in the evening and
4 such additional consecutive hours prior thereto as the local board of
5 elections for each fire [~~commissioners of such~~] district may have deter-
6 mined and specified in the notice thereof. The local board of elections
7 for each fire [~~commissioners~~] district shall designate a resident fire
8 district elector, who shall be a registered voter of the town, to act as
9 chairman of any election of said district and shall designate not less
10 than two nor more than four resident fire district electors, who shall
11 be registered voters of the town to act as election inspectors and
12 ballot clerks at such elections. No elective officer of the fire
13 district shall serve as such chairman or as an election inspector or
14 ballot clerk. The local board of elections for each fire [~~commission-~~
15 ~~ers~~] district may adopt a resolution providing that such chairman,
16 election inspectors and ballot clerks shall be paid for their respective
17 services at any such annual election or at any special election of the
18 fire district. Such resolution, if adopted, shall fix the amount of such
19 compensation, as follows: if the hours during which the polls will be
20 open for the receipt of ballots are from six o'clock in the [~~evening~~]
21 morning until nine o'clock in the evening, a sum not to exceed thirty-
22 five dollars for each such official; if additional consecutive hours
23 prior to six o'clock in the [~~evening~~] morning are determined and speci-
24 fied in the notice of election, a sum not to exceed fifty dollars for
25 each such official.

26 6. If in any fire district the number of voters is so great as to
27 render it inexpedient or impossible to conduct the election at one poll-
28 ing place, the local board of elections for each fire [~~commissioners~~]
29 district may divide the fire district into election districts and
30 provide a polling place for each such election district, provided,
31 however, that the number of election districts in any fire district
32 shall not exceed one for each six hundred electors plus one for a
33 remaining fraction of six hundred. In such event, the notice specified
34 in subdivision one of this section shall describe the election districts
35 and state where the polling places will be located, and the local board
36 of elections for each fire [~~commissioners~~] district shall designate not
37 less than two nor more than four resident fire district electors, who
38 shall be registered voters of the town, to act as election inspectors
39 and ballot clerks at each such polling place. The local board of
40 elections for each fire district [~~commissioners~~] may adopt a resolution
41 providing that such election inspectors and ballot clerks shall be paid
42 for their respective services at any such annual election or at any
43 special election of the fire district. Such resolution, if adopted,
44 shall fix the amount of such compensation as follows: if the hours
45 during which the polls will be open for the receipt of ballots are from
46 six o'clock in the [~~evening~~] morning until nine o'clock in the evening,
47 a sum not to exceed thirty-five dollars for each such official [~~, if~~
48 ~~additional consecutive hours prior to six o'clock in the evening are~~
49 ~~determined and specified in the notice of election, a sum not to exceed~~
50 ~~fifty dollars for each such official~~]. No elective officer of the fire
51 district shall serve as an election inspector or ballot clerk.

52 § 2. This act shall take effect on the first of January next succeed-
53 ing the date on which it shall have become a law.